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April 8, 1985

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Waste and Toxic Substances Branch  
Office of Regional Counsel  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
Region II  
26 Federal Plaza, Room 37  
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Re: Duane Marine Salvage Site  
Perth Amboy, New Jersey

Dear Ms. Thompson:

At Norman Bernstein's suggestion (and after his and my discussions with you), I am sending this letter to reconfirm the timing of the commitment provided for in Paragraph 46 of the II-CERCLA-50102 Order as amended or modified by EPA letters of December 18, 1984 and January 16, 1985.

At a meeting prior to the January 11, 1985 date set forth in EPA's letter of December 18, 1984 (paragraph c), the date for commitment was postponed to the end of a 21-day period that would start after the receipt of fixed price bids for the performance of the clean-up work. That receipt would necessarily follow the sampling, the testing, the contract drafting, and the solicitation efforts. All of these efforts were to be accomplished on a schedule to be set forth in the Revised Work Plan. The 21-day period after receipt of bids was established to permit evaluation of the comparability of the bids, conclusion of allocation discussions, original fund solicitations, allocated fund shortfall solicitations, and contract signing.

After those January discussions, the Revised Work Plan was submitted, commented upon and amended. The Plan sets forth in Section 5.0 and on Figure 2 the schedule to which all have

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Margaret Thompson, Esq.

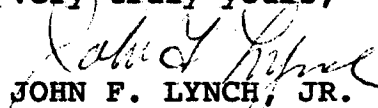
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agreed as set forth above. The 21-day period is bounded by the end of week 13 and the end of week 16. Week 1 started on March 18. The date for commitment under paragraph 46 of the order is, thus, Monday, July 8, 1985.

I am sending this letter simply to set forth the schedule about which, I believe, we all agree.

Very truly yours,

  
JOHN F. LYNCH, JR.

FOR THE DUANE MARINE STEERING COMMITTEE

JFL/dms

cc: Members of D.M. Steering Committee